

**STATEMENT OF BASIS (AI No. 27026)**

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0109151 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Charles G. Lawson Trucking, Inc.  
Port Barre Terminal  
Route 1 Box 254G  
Port Barre, LA 70577

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Kelli Hamilton

**DATE PREPARED:** August 24, 2009

**1. PERMIT STATUS****A. Reason For Permit Action:**

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: January 1, 2004  
LPDES permit expiration date: December 31, 2008  
EPA has not retained enforcement authority.

C. Date Application Received: December 15, 2008

**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - truck terminal**

This existing facility is utilized for the operation of contract hauling of food grade products (i.e. peanut oils, coconut oils). The exterior of the trucks are cleaned. The facility also makes minor repairs to the trucks (brakes, wiring, etc.). Any used oils and/or waste materials generated during truck maintenance is containerized and hauled off for disposal by a private contractor. Food grade oil residual from interior tank cleaning is containerized and properly disposed of at Clean Harbor in White Castle, LA.

The tank cleaning activities performed by this company are regulated under the Transportation Equipment Cleaning Effluent Limitation Guideline (TEC ELG, 40 CFR 442). Transportation equipment cleaning (TEC) process wastewater means all wastewaters associated with cleaning the interiors of tanks including: tank trucks; rail tank cars; intermodal tank containers; tank barges; and ocean/sea tankers used to transport commodities or cargos that come into direct contact with the interior of the tank or container. At those facilities that clean tank interiors, TEC process wastewater also includes wastewater generated from washing vehicle exteriors, equipment

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and floor washings, TEC-contaminated stormwater, wastewater prerinse cleaning solutions, chemical cleaning solutions, and final rinse solutions. Although the interior tank cleaning wastewater is hauled off, the facility still performs the cleaning; therefore, TEC guidelines still apply to the other wastewaters generated at the facility.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 4231

C. LOCATION - 16837 Highway 190 in Port Barre, St. Landry Parish  
Latitude 30°32'52", Longitude 91°59'19"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: transportation equipment cleaning process wastewater  
Treatment: solids knock-out tanks with commercial washwater treatment unit  
Location: at the point of discharge from the treatment system  
Flow: 350 gpd  
Discharge Route: unnamed slough, thence into Bayou Toulouse, thence into Bayou Teche

Outfall 002

Discharge Type: treated sanitary wastewater  
Treatment: package treatment system with chlorination  
Location: at the point of discharge from the sanitary treatment system  
Flow: 125 gpd  
Discharge Route: unnamed slough, thence into Bayou Toulouse, thence into Bayou Teche

4. RECEIVING WATERS

STREAM - unnamed slough, thence into Bayou Toulouse, thence into Bayou Teche

BASIN AND SEGMENT - Vermilion-Teche River Basin, Segment 060301

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife

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## 5. TMDL STATUS

Subsegment 060301, Bayou Teche - From headwaters at Bayou Courtableau to Keystone Locks and Dam, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060301 was previously listed as impaired for suspended solids/ turbidity/ siltation, nutrients, organic enrichment/ low DO, pathogen indicators, carbofuran and, phosphorus, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060301:

### Organic Enrichment / low DO and Nutrients

Organic enrichment/low DO and nutrients were addressed by the *Bayou Teche Watershed TMDL for Dissolved Oxygen* Including WLAS for Twenty two Facilities and Addressing Nutrients Subsegments 060205, 060301, 060401, and 060501. An Addendum to the TMDL added six dischargers to the model. The TMDL did not include Bayou Toulouse in the model because the winter and summer 7Q10 for this tributary is zero. The TMDL states further that Charles G. Lawson Trucking, Inc. is the only discharger on Bayou Toulouse and was not included in the model since its flow is insignificant. The TMDL did not provide proposed summer or winter CBOD5/NH3-N/DO permit limits for the facility. Therefore, with respect to the TMDL, LDEQ has determined that BOD<sub>5</sub> and COD limits shall be based on effluent limitations guidelines, or shall remain as in the previous LPDES permit where more stringent technology-based limits do not exist.

### Nitrogen and Phosphorus

LDEQ's position on nutrients, as supported by the ruling in *Sierra Club v. Givens*, 710 So.2d 249 (La. App. 1st Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. LAC 33:IX.2707.D.1.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through BOD<sub>5</sub> and COD limitations. Compliance with the BOD<sub>5</sub> and COD limitations as indicator parameters will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameters as conducted by the permittee in accordance with the permit in

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addition to LDEQs ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in Other Conditions of the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameters are shown to no longer attain and maintain applicable water quality standards.

Fecal Coliform

As per the *Bayou Teche Fecal Coliform TMDL*, "there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL." Therefore, Fecal Coliform effluent limitations at Outfall 002 will remain as previously permitted.

Total Suspended Solids / Turbidity / Siltation

As per the *TMDL for TSS, Turbidity, and Siltation for the Bayou Teche Watershed*, "Point source loads do not represent a significant source of TSS as defined in this TMDL. Point sources discharge primarily organic TSS, which does not contribute to habitat impairment resulting from sedimentation. Because the point sources are minor contributors, and dischargers of organic suspended solids from point sources are already addressed by LDEQ through their permitting of point sources to maintain water quality standards for DO, the wasteload allocation for point source contributions were set to zero. This TMDL only addresses the landform contribution of TSS/sediment and does not address the insignificant point source contributions." Therefore, with respect to the TMDL, LDEQ has determined that TSS limits shall be based on effluent limitations guidelines, or shall remain as in the previous LPDES permit where more stringent technology-based limits do not exist.

Carbofuran

As per the *TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion Teche River Basins* no allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360) but it does not discharge Carbofuran. In addition, this facility has no potential to discharge Carbofuran. Therefore, requirements for Carbofuran will not be placed in this permit.

**6. CHANGES FROM PREVIOUS PERMIT**

Monthly Average Limitations have been added to Outfall 002. Sanitary outfall 002 weekly average limitations have been changed to daily maximum limitations. Monitoring Frequency of Outfall 001 has been increased from 1/month to 2/month.

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## 7. COMPLIANCE HISTORY/COMMENTS

### A. Compliance History

No records of recent compliance actions were found.

B. DMR Review/Excursions - A DMR review was completed for April 2007 through March 2009. The excursions are as follows:

DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
4/07	COD	001	969	1,070	200	300
	TSS	001	135	162	30	45
	O&G	001	53	64	8.8	15
	BOD	001	340	360	24	56
5/07	COD	001	886	1,350	200	300
	TSS	001	96	124	30	45
	O&G	001	72	111	8.8	15
	BOD	001	362	770	24	56
6/07	COD	001	1,439	2,290	200	300
	TSS	001	234	392	30	45
	O&G	001	124	199	8.8	15
	BOD	001	364	640	24	56
7/07	COD	001	1,042	1,250	200	300
	TSS	001	123	148	30	45
	O&G	001	77	92	8.8	15
	BOD	001	400	500	24	56
8/07	COD	001	761	875	200	300
	TSS	001	123	140	30	45
	O&G	001	78	112	8.8	15
	BOD	001	210	340	24	56

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DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
9/07	COD	001	473	609	200	300
	TSS	001	222	334	30	45
	O&G	001	39	61	8.8	15
	BOD	001	455	620	24	56
10/07	COD	001	699	1,090	200	300
	TSS	001	109	145	30	45
	O&G	001	60	91	8.8	15
	BOD	001	252	490	24	56
11/07	COD	001	940	940	200	300
	TSS	001	205	205	30	45
	O&G	001	143	143	8.8	15
	BOD	001	520	520	24	56
12/07	COD	001	834	954	200	300
	TSS	001	262	355	30	45
	O&G	001	114	171	8.8	15
	BOD	001	790	1,000	24	56
1/08	COD	001	1,525	1,560	200	300
	TSS	001	241	270	30	45
	O&G	001	212	224	8.8	15
	BOD	001	835	980	24	56
2/08	COD	001	1,378	1,910	200	300
	TSS	001	454	850	30	45
	O&G	001	499	929	8.8	15
	BOD	001	955	1,800	24	56
3/08	COD	001	1,130	1,200	200	300

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DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
	TSS	001	211	296	30	45
	O&G	001	142	232	8.8	15
	BOD	001	345	470	24	56
4/08	COD	001	690	727	200	300
	TSS	001	110	130	30	45
	O&G	001	83	95	8.8	15
	BOD	001	610	1,000	24	56
5/08	COD	001	1,171	1,410	200	300
	TSS	001	137	143	30	45
	O&G	001	152	218	8.8	15
	BOD	001	664	830	24	56
6/08	COD	001	1,880	2,700	200	300
	TSS	001	318	487	30	45
	O&G	001	327	527	8.8	15
	BOD	001	460	580	24	56
	BOD	002	---	210	---	45
7/08	COD	001	931	1,065	200	300
	TSS	001	119	133	30	45
	O&G	001	82	130	8.8	15
	BOD	001	444	800	24	56
8/08	COD	001	1,550	1,550	200	300
	TSS	001	260	260	30	45
	O&G	001	187	187	8.8	15
	BOD	001	1,300	1,300	24	56
9/08	TSS	001	163	163	30	45

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DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
	O&G	001	120	120	8.8	15
	BOD	001	480	480	24	56
10/08	COD	001	579	685	200	300
	TSS	001	64	78	30	45
	O&G	001	47	65	8.8	15
	BOD	001	388	760	24	56
11/08	COD	001	1,007	1,050	200	300
	TSS	001	113	132	30	45
	O&G	001	77	118	8.8	15
	BOD	001	305	500	24	56
12/08	COD	001	936	1,010	200	300
	TSS	001	1,438	2,727	30	45
	O&G	001	158	213	8.8	15
	BOD	001	405	460	24	56
	BOD	002	---	310	---	45
1/09	TSS	001	70	70	30	45
	O&G	001	32	32	8.8	15
	BOD	001	37	37	24	56
2/09	COD	001	223	320	200	300
	TSS	001	47	56	30	45
	O&G	001	24	38	8.8	15
	BOD	001	66	100	24	56
3/09	TSS	001	33	44	30	45
	O&G	001	83	137	8.8	15
	BOD	001	76	110	24	56



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#### 8. EXISTING EFFLUENT LIMITS

Outfalls 001 -		Outfall 002 -	
BOD	24:56 mg/l	BOD	---:45 mg/l
TSS	30:45 mg/l	TSS	---:45 mg/l
COD	200:300 mg/l	Fecal Coliform	--:400
Oil and Grease	8.8:15 mg/l	pH	6-9
pH	6-9		

#### 9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060301 of the Vermilion-Teche River Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

#### 10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### 11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

#### 12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

### **13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT**

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain and LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 4231 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. For renewal permit issuance, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility. (see Narrative Requirements for the AI)

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**Rationale for Charles G. Lawson Trucking, Inc.**

1. Outfall 001 transportation equipment cleaning process wastewater  
 (estimated flow is 350 gpd)

<u>Pollutant</u>	<u>Limitation</u> Monthly Avg:Daily Max (mg/L)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2707.I.1.B
BOD5	24:56	BPT/BCT; 40 CFR Part 442.42
COD	200:300	BPJ; previous permit
TSS	30:45	BPJ; previous permit
Oil and Grease	8.8:15	BPT/BCT; 40 CFR Part 442.42 (monthly avg); BPJ; previous permit (daily max)
pH (su)	6.0-9.0 (min) (max)	BPT/BCT; 40 CFR Part 442.42

**Treatment:** Three-cell oxidation pond and oil/water separator

**Monitoring Frequency:** Monitoring frequency at this outfall shall be 1/week for flow, and 2/month by grab sample for the other parameters. The monitoring frequency has been increased due to violations of the previous permit.

**Limits Justification:**

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44(a) require technology-based effluent limitations to be placed in LPDES permits based on effluent limitations guidelines where applicable, on BPJ (best professional judgement) in the absence of guidelines, or on a combination of the two.

This facility is subject to Best Practicable Control Technology Currently Available (BPT), and Best Conventional Pollutant Control Technology (BCT) effluent limitation guidelines for the Transportation Equipment Cleaning Point Source Category at Subpart D, Tanks Transporting Food Grade Cargos, 40 CFR Part 442.42:

<u>Parameter</u>	<u>Maximum</u> <u>Monthly Average</u>	<u>Maximum</u> <u>Daily</u>
BOD <sub>5</sub>	24	56
TSS	86	230
Oil & grease	8.8	20
pH (min:max)	6 su:9 su	

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#### Site-Specific BPJ Considerations

LDEQ's implementing guidance, in consideration of anti-backsliding provisions of the Clean Water Act, specifies that if a pollutant is covered under both the existing permit and the TEC ELGs, the more stringent of the two applies. If the existing permit covers a pollutant that is not covered by the TEC ELGs, the pollutant limit may be removed unless a DMR excursion has been reported, in which case the existing permit limit is retained.

BOD<sub>5</sub> - Concentration limits for BOD<sub>5</sub> of 24 mg/L monthly average and 56 mg/L daily maximum are established based on 40 CFR 442.42.

COD - COD is not regulated by the TEC ELGs. However, LDEQ policy requires COD monitoring at vehicle washing and equipment washing operations. Furthermore, measures of both BOD and COD are of value because the BOD/COD ratio is an effective way of evaluating the treatment process and determining the non-biodegradable portion of the organic compounds being discharged. Also, if oxidizing organisms in the BOD test are affected by toxic substances in the wastestream, COD will still indicate an oxygen demand. For these reasons, the COD limits from the previous permit are retained.

TSS - Both the daily maximum and monthly average limits from the TEC effluent guidelines are less stringent than the site-specific BPJ daily maximum and monthly average limits established in the 1994 LWDPs permit (WP3891). The site-specific BPJ limits are based on biological secondary treatment technology. Therefore, concentration limits for TSS of 45 mg/L daily maximum and 30 mg/L monthly average are retained from the previous permit.

Oil and Grease - A concentration limit of 8.8 mg/L monthly average is established based on 40 CFR 442.42. The daily maximum limit of 20 mg/L from the TEC effluent guidelines are less stringent than the site-specific BPJ daily maximum limit established in the 1994 LWDPs permit (WP3891). Therefore, the concentration limit for oil and grease of 15 mg/L daily maximum is retained from the previous permit.

Concentration limits are in accordance with LAC 33:IX.2363.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. The effluent limitation guidelines for the Transportation Equipment Cleaning Point Source Category at Subpart D, Tanks Transporting Food Grade Cargos, 40 CFR Part 442.42, are expressed in concentration-based limits.

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2. Outfall 002 treated sanitary wastewater (estimated flow is 125 gpd)

<u>Pollutant</u>	<u>Limitation</u> Mon Avg:Daily Max (mg/l)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2707.I.1.B
BOD <sub>5</sub>	30:45	See limits justification (1),(2) below
TSS	30:45	See limits justification (1),(2) below
Fecal Coliform colonies/100 mL	200:400	See limits justification (1),(2) below
pH (su)	6.0-9.0 (min) (max)	See limits justification (2) below

**Treatment:** Standard package treatment plant and chlorination

**Monitoring Frequency:** semiannually by grab sample

**Limits Justification:**

- 1) Sanitary wastewater regulated in accordance with LAC 33:IX.711 or LAC 33:IX.709.B - Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD<sub>5</sub> and TSS in terms of concentration. Fecal Coliform limits have been set as per LAC 33:IX.1113.C.5.a.
- 2) BPJ utilizing the LPDES Class I Sanitary General Permit and previous permit

su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.